

EXHIBIT A

State of Alabama
Unified Judicial System
Form ARCiv-93 Rev.5/99

COVER SHEET
CIRCUIT COURT - CIVIL CASE
(Not For Domestic Relations Cases)

Case
49
Date
07/

Date of Filing: 07/10/2017 Judge Code:

IN THE CIRCUIT COURT OF MARION COUNTY, ALABAMA
CLINT P MICHAELSON v. HARTFORD LIFE & ACCIDENT INS CO.

First Plaintiff: ☐ Business ☒ Individual **First Defendant:** ☒ Business ☐ Individual
☐ Government ☐ Other ☐ Government ☐ Other

NATURE OF SUIT: Select primary cause of action, by checking box (check only one) that best characterizes your action:

- ☐ WDEA - Wrongful Death
- ☐ TONG - Negligence: General
- ☐ TOMV - Negligence: Motor Vehicle
- ☐ TOWA - Wantonness
- ☐ TOPL - Product Liability/AEMLD
- ☐ TOMM - Malpractice-Medical
- ☐ TOLM - Malpractice-Legal
- ☐ TOOM - Malpractice-Other
- ☐ TBFM - Fraud/Bad Faith/Misrepresentation
- ☐ TOXX - Other:

☐ TOPE - Personal Property
☐ TORE - Real Property

- ☐ ABAN - Abandoned Automobile
- ☐ ACCT - Account & Nonmortgage
- ☐ APAA - Administrative Agency Appeal
- ☐ ADPA - Administrative Procedure Act
- ☐ ANPS - Adults in Need of Protective Service

- ☐ MSXX - Birth/Death Certificate Modification/Bond Forfeiture Appeal/Enforcement of Agency Subpoena/Petition to Preserve
- ☐ CVRT - Civil Rights
- ☐ COND - Condemnation/Eminent Domain/Right-of-Way
- ☐ CTMP - Contempt of Court
- ☐ CONT - Contract/Ejectment/Writ of Seizure
- ☐ TOCN - Conversion
- ☐ EQND - Equity Non-Damages Actions/Declaratory Judgment/Injunction Election Contest/Quiet Title/Sale For Division
- ☐ CVUD - Eviction Appeal/Unlawful Detainer
- ☐ FORJ - Foreign Judgment
- ☐ FORF - Fruits of Crime Forfeiture
- ☐ MSHC - Habeas Corpus/Extraordinary Writ/Mandamus/Prohibition
- ☐ PFAB - Protection From Abuse
- ☐ FELA - Railroad/Seaman (FELA)
- ☐ RPRO - Real Property
- ☐ WTEG - Will/Trust/Estate/Guardianship/Conservatorship
- ☐ COMP - Workers' Compensation
- ☒ CVXX - Miscellaneous Circuit Civil Case

ORIGIN: F ☒ INITIAL FILING

R ☐ REMANDED

A ☐ APPEAL FROM
DISTRICT COURT

T ☐ TRANSFERRED FROM
OTHER CIRCUIT COURT

0 ☐ OTHER

HAS JURY TRIAL BEEN DEMANDED? ☐ YES ☒ NO

Note: Checking "Yes" does not constitute a demand for a jury trial. (See Rules 38 and 39, Ala.R.Civ.P, for procedure)

RELIEF REQUESTED: ☒ MONETARY AWARD REQUESTED ☐ NO MONETARY AWARD REQUESTED

ATTORNEY CODE:

JEN009

7/10/2017 10:08:31 AM

Date _____

/s/ ROBERT WILLSON JENKINS MR

Signature of Attorney/Party filing this form

MEDIATION REQUESTED: ☐ YES ☒ NO ☐ UNDECIDED



ELECTRONICALLY FILED
7/10/2017 10:08 AM
49-CV-2017-900065.00
CIRCUIT COURT OF
MARION COUNTY, ALABAMA
DENISE MIXON, CLERK

IN THE CIRCUIT COURT OF MARION COUNTY, ALABAMA

Clint P. Michaelson
Plaintiff,

V.

HARTFORD LIFE AND
ACCIDENT INSURANCE
COMPANY,
One Hartford Plaza
Hartford, CT 06155
Defendant.

CASE NO. _____

COMPLAINT

1. This is an action for welfare employment benefits pursuant to 29 U.S.C. 1132((a)(1)(B).
2. Plaintiff, Clint P. Michaelson, is a resident citizen of Marion County, Alabama.
3. Plaintiff was employed by Hyundai Motor Manufacturing Alabama, LLC (herein after referred to as "Hyundai") as production team member.
4. Hyundai sponsors for its employees, including Michaelson, a Group Long-Term Disability Plan, (hereinafter referred to as "the Plan"). This Plan provides among other benefits, a monthly long term disability benefit to those participants who are disabled according to the terms of the Plan.

5. Defendant, Hartford Life and Accident Insurance Company (herein after referred as “Hartford”) is a foreign corporation. Hartford insures the Hyundai Group Long-Term Disability Plan under policy number GLT675982.
6. This Plan is an “employee welfare benefit plan” within the meaning of 29 U.S.C. 1002(1).
7. This Court has concurrent jurisdiction of actions filed pursuant to 29 U.S.C. 1132(a)(1)(B), as permitted by 29 U.S.C. 1132(e)(1).

COUNT I

8. Plaintiff re-adopts and re-alleges the above jurisdictional and factual averments, as if, fully set out herein.
9. Michaelson filed for long-term disability benefits with a last day of work of August 17, 2012. After the elimination period, Hartford paid monthly disability benefits until February 15, 2015.
10. In a letter dated February 15, 2015, Hartford advised Michaelson that they were terminating his long term disability benefits because he no longer met the definition of disabled.
11. The Plaintiff appealed the termination of benefits by letter dated August 10, 2015 as supplemented on September 14, 2015 and again on October 16, 2015.

12. By letter dated November 12, 2015, Hartford denied Harris' appeal for long term disability benefits. Hartford also advised Harris that he had exhausted all administrative remedies and had the right to bring a civil action under the Employee Retirement Income Security Act of 1974 (ERISA).
13. Plaintiff is disabled under the terms of the Plan. He is disabled from "any occupation" as defined under the Plan due to neck and shoulder pain as well as the side effects of medication.
14. Plaintiff is entitled to monthly long term disability benefits which were wrongfully terminated on February 15, 2015.

WHEREFORE THE PREMISES CONSIDERED, the Plaintiff prays for judgment to be entered in favor of the Plaintiff and against the Defendant for past due monthly long term disability benefits pursuant to 29 U.S.C. 1132(a)(1)(B), an order for future payment of long term disability, plus prejudgment interest, costs of court, and reasonable attorney fees, as permitted by 29 U.S.C. 1132(g).

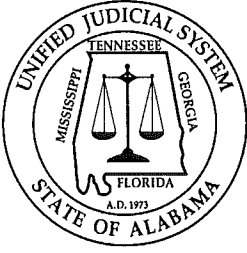
/s/R. Willson Jenkins
R. Willson Jenkins (JEN009)
Attorney for Plaintiff

OF COUNSEL:

R. Willson Jenkins, P.C.
201 South Court St., Suite 450
Florence, AL 35630
(256) 766-4840
willson@bunchandjames.com

Defendant is to be served by Certified Mail

**Hartford Life and Accident Insurance Company
One Hartford Plaza
Hartford, CT 06155**



AlaFile E-Notice

49-CV-2017-900065.00

To: ROBERT WILLSON JENKINS MR.
billie@bunchandjames.com

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF MARION COUNTY, ALABAMA

CLINT P MICHAELSON V. HARTFORD LIFE & ACCIDENT INS CO.
49-CV-2017-900065.00

The following complaint was FILED on 7/10/2017 10:08:38 AM

Notice Date: 7/10/2017 10:08:38 AM

DENISE MIXON
CIRCUIT COURT CLERK
MARION COUNTY, ALABAMA
132 SOUTH MILITARY STREET
HAMILTON, AL, 35570

205-921-7451
denise.mixon@alacourt.gov



AlaFile E-Notice

49-CV-2017-900065.00

To: HARTFORD LIFE & ACCIDENT INS CO.
ONE HARTFORD PLAZA
HARTFORD, CT, 06155

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF MARION COUNTY, ALABAMA

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HAMILTON, AL, 35570

205-921-7451
denise.mixon@alacourt.gov

State of Alabama Unified Judicial System Form C-34 Rev. 4/2017	SUMMONS - CIVIL -	Court Case Number 49-CV-2017-900065.00
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IN THE CIRCUIT COURT OF MARION COUNTY, ALABAMA
CLINT P MICHAELSON V. HARTFORD LIFE & ACCIDENT INS CO.

NOTICE TO: HARTFORD LIFE & ACCIDENT INS CO., ONE HARTFORD PLAZA, HARTFORD, CT 06155

(Name and Address of Defendant)

THE COMPLAINT OR OTHER DOCUMENT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT, AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS. YOU OR YOUR ATTORNEY ARE REQUIRED TO FILE THE ORIGINAL OF YOUR WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT OR OTHER DOCUMENT, WITH THE CLERK OF THIS COURT. A COPY OF YOUR ANSWER MUST BE MAILED OR HAND DELIVERED BY YOU OR YOUR ATTORNEY TO THE PLAINTIFF(S) OR ATTORNEY(S) OF THE PLAINTIFF(S), ROBERT WILLSON JENKINS MR.

(Name(s) of Attorney(s))

WHOSE ADDRESS(ES) IS/ARE: 210 E. Tennessee Street, FLORENCE, AL 35630

(Address(es) of Plaintiff(s) or Attorney(s))

THE ANSWER MUST BE MAILED OR DELIVERED WITHIN 30 DAYS AFTER THIS SUMMONS AND COMPLAINT OR OTHER DOCUMENT WERE SERVED ON YOU OR A JUDGMENT BY DEFAULT MAY BE RENDERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT OR OTHER DOCUMENT.

TO ANY SHERIFF OR ANY PERSON AUTHORIZED BY THE ALABAMA RULES OF CIVIL PROCEDURE TO SERVE PROCESS:

☐ You are hereby commanded to serve this Summons and a copy of the Complaint or other document in this action upon the above-named Defendant.

☒ Service by certified mail of this Summons is initiated upon the written request of CLINT P MICHAELSON

(Name(s))
 pursuant to the Alabama Rules of the Civil Procedure.

7/10/2017 10:08:38 AM /s/ DENISE MIXON By: _____
(Date) *(Signature of Clerk)* *(Name)*

☒ Certified Mail is hereby requested. /s/ ROBERT WILLSON JENKINS MR.

(Plaintiff's/Attorney's Signature)

RETURN ON SERVICE

☐ Return receipt of certified mail received in this office on _____
(Date)

☐ I certify that I personally delivered a copy of this Summons and Complaint or other document to _____
 _____ in _____ County,
(Name of Person Served) *(Name of County)*

Alabama on _____
(Date)

(Type of Process Server)

(Server's Signature)

(Address of Server)

(Server's Printed Name)

(Phone Number of Server)

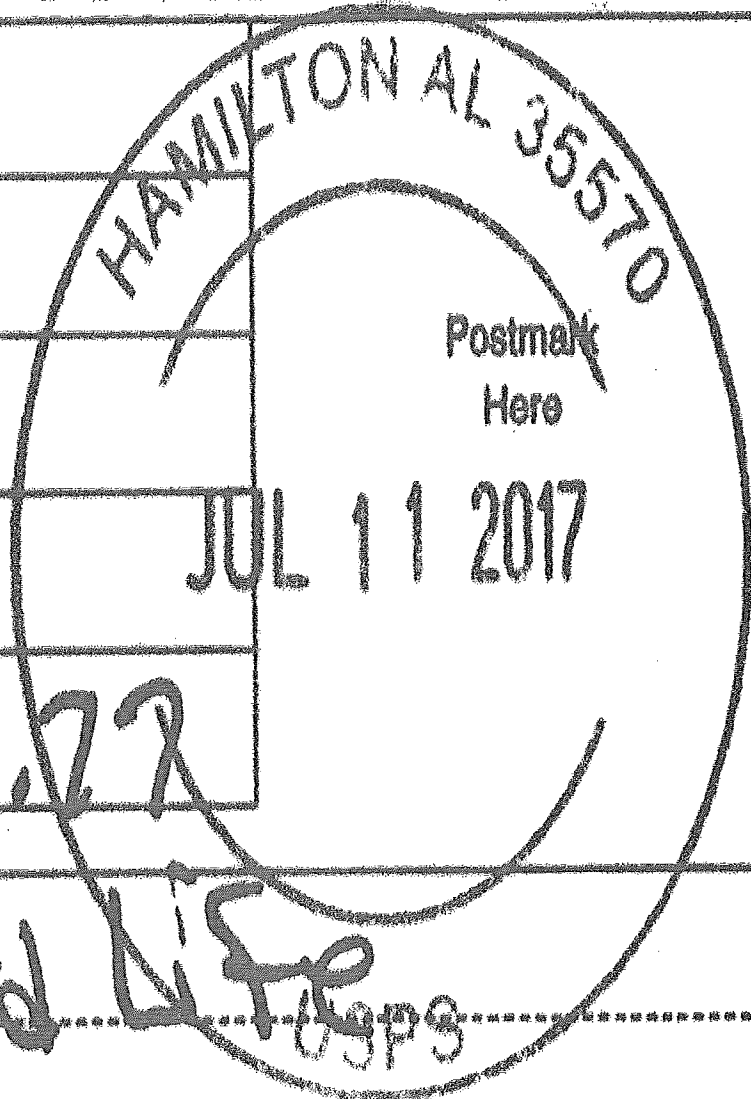
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Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.77



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or PO Box No.

City, State, ZIP+4

Norfolk Life

USPS

CV 17-900065

0602 1000 0212 4102 62829

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Hartford Life & Accident
One Hartford Plaza

Hartford, CT

06155

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Math Metacat

☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

18 2017

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

CV 2017-90006

3. Service Type

☐ Certified Mail®☐ Priority Mail Express™☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ Collect on Delivery

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from service label)

06E2 E829 T000 02T2 4T02

PS Form 3811, July 2013

Domestic Return Receipt

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Permit No. G-10

• Sender: Please print your name, address, and ZIP+4® in this box •

MARION COUNTY CIRCUIT COURT
P.O. BOX 1595
HAMILTON, AL 35570





AlaFile E-Notice

49-CV-2017-900065.00

Judge: TALMAGE LEE CARTER

To: JENKINS ROBERT WILLSON JR
billie@bunchandjames.com

NOTICE OF SERVICE

IN THE CIRCUIT COURT OF MARION COUNTY, ALABAMA

CLINT P MICHAELSON V. HARTFORD LIFE & ACCIDENT INS CO.
49-CV-2017-900065.00

The following matter was served on 7/18/2017

D001 HARTFORD LIFE & ACCIDENT INS CO.

Corresponding To
CERTIFIED MAIL

DENISE MIXON
CIRCUIT COURT CLERK
MARION COUNTY, ALABAMA
132 SOUTH MILITARY STREET
HAMILTON, AL, 35570

205-921-7451
denise.mixon@alacourt.gov